

United States Patent and Trademark Office  
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03/29/2006 TDADE1 00000005 501492 09813522

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**PATENT APPLICATION FEE DETERMINATION RECORD**  
Effective October 1, 2000

Application or Docket Number

09/813522

**CLAIMS AS FILED - PART I**

	(Column 1)	(Column 2)
TOTAL CLAIMS	49	
FOR 03/21/01	NUMBER FILED	NUMBER EXTRA
TOTAL CHARGEABLE CLAIMS	49 minus 20 =	29
INDEPENDENT CLAIMS	6 minus 3 =	3
MULTIPLE DEPENDENT CLAIM PRESENT <input type="checkbox"/>		

\* If the difference in column 1 is less than zero, enter "0" in column 2

**CLAIMS AS AMENDED - PART II**

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	49	Minus	0
Independent	6	Minus	0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

SMALL ENTITY TYPE ☐

OR OTHER THAN SMALL ENTITY

RATE	FEE		RATE	FEE
BASIC FEE	355.00	OR	BASIC FEE	710.00
X\$ 9=		OR	X\$18=	522
X40=		OR	X80=	240
+135=		OR	+270=	
TOTAL		OR	TOTAL	1,472

SMALL ENTITY OR OTHER THAN SMALL ENTITY

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X\$ 9=		OR	X\$18=	
X40=		OR	X80=	
+135=		OR	+270=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	0

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X\$ 9=		OR	X\$18=	
X40=		OR	X80=	
+135=		OR	+270=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	0

RATE	ADDITIONAL FEE		RATE	ADDITIONAL FEE
X\$ 9=		OR	X\$18=	
X40=		OR	X80=	
+135=		OR	+270=	
TOTAL ADDIT. FEE		OR	TOTAL ADDIT. FEE	0

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	49	Minus	49
Independent	6	Minus	6
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

	(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total	48	Minus	49
Independent	6	Minus	6
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM <input type="checkbox"/>			

\* If the entry in column 1 is less than the entry in column 2, write "0" in column 3.

\*\* If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."

\*\*\*If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

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MAR 14 2006

[40101/0901]

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Inventor(s) : Madem et al  
Serial No. : 09/813,522  
Filing Date : March 21, 2001  
For : Dynamic Software Code Instrumentation Method and System  
Group Art Unit : 2191  
Examiner : Qamrun Nahar

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TERMINAL DISCLAIMER TO OBVIATE A  
DOUBLE PATENTING REJECTION OVER A PRIOR PATENT APPLICATION**

WIND RIVER SYSTEMS, INC. is the owner of 100% percent interest in the above-identified application. The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent entitled Dynamic Software Code Instrumentation With Cache Disabling Feature, issued on May 28, 2002 and assigned Patent No. 6,397,382. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any

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MAR 14 2006

Attorney Docket No. 40101/10901

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Madison et al.  
Serial No. : 09/813,572  
Filed : March 21, 2001  
For : Dynamic Software Code Instrumentation Method and System  
Group Art Unit : 2191  
Examiner : Qamrun Nahar

Mail Stop: Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Certificate of Authenticity

I hereby certify that this paper is being transmitted unaltered  
via facsimile to:

Mail Stop: Amendment  
Commissioner for Patents  
Alexandria, VA 22313-1450  
Fax (571) 273-8300

on the day shown below

By:   
Michael J. Marcia (Reg. No. 48,198)  
Date: March 14, 2006

TRANSMITTAL

In response to the Office Action mailed December 16, 2005, please find an Amendment and a Terminal Disclaimer for filing in the above-identified application. Please charge the Deposit Account of Fay Kaplan & Marcia, LLP No. 50-1492 in the amount of \$130.00 for the Terminal Disclaimer. The Commissioner is hereby authorized to charge any additional fees to the Deposit Account of Fay Kaplan & Marcia, LLP No. 50-1492. A copy of this paper is enclosed for that purpose.

Dated: March 14, 2006

Respectfully submitted,

By:   
Michael J. Marcia, Reg. No. 48,198

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